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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,864	07/21/2004	Manabu Kii	255959US6PCT	3630
22850	7590	05/26/2006	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			RAYYAN, SUSAN F	
			ART UNIT	PAPER NUMBER
			2167	

DATE MAILED: 05/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/500,864

Applicant(s)

KII ET AL.

Examiner

Susan F. Rayyan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7/21/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 1-8 are pending.

#### ***Information Disclosure Statement***

2. The information disclosure statement filed July 21, 2004 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent Number 6,434,103 issued to Teruyuki Shitara et al (“Shitara”).**

As per claims 1,5 Shitara anticipates:

a first data management step of managing stream data recorded on a predetermined recording medium in a unit of a file based on a file system (see column 15, lines 30-36);

and a second data management step of performing management in a unit of a track based on a track managing data file which includes track management information formed from information elements each of which is information corresponding to one of tracks each of which is a data part within a range of the stream data in the file unit and indicates coordination with the stream data of the file unit and information elements each of which indicates a data position of one of the tracks in the stream data of the corresponding file unit (column 15, lines 31-36, 47-48);

wherein said second data management step executes, where track division of dividing the stream data of the file unit to form a plurality of tracks (column 18, lines 25-32) or track erasure of erasing one of the tracks is to be performed (column 18, lines 25-27, 33-36), an updating process for contents of the track management information in the track managing data file in response to a manner of the track division or track erasure (column 18, lines 32-33, 56-62).

Shitara teaches a first data management step of managing stream data recorded on a predetermined recording medium in a unit of a file based on a file system, and a second data management step of performing management in a unit of a track based on a track managing data file which includes track management information formed from information elements each of which is information corresponding to one of tracks each of which is a data part within a range of the stream data in the file unit and indicates coordination with the stream data of the file unit and information elements each of which indicates a data position of one of the tracks in the stream data of the corresponding file unit, wherein said second data management step executes, where track division of

dividing the stream data of the file unit to form a plurality of tracks or track erasure of erasing one of the tracks is to be performed, an updating process for contents of the track management information in the track managing data file in response to a manner of the track division or track erasure at column 15, lines 30-48, and column 18, lines 25-36, 56-62.

As per claims 2,6, same as claim arguments above and Shitara anticipates:  
wherein said first data management step is capable of managing data such that an offset region is provided at the top of the stream data as one file and the entity of the stream data is disposed following the offset region (column 24, lines 10-12);  
and when on-medium erasure of erasing a data part of a track unit of the stream data from the recording medium by rewriting of the file system is performed, if partial data of the data part of the track unit which is the object of the on-medium erasure remains in the data part for the data management unit of the file system including a last end position of the data part of the track unit which is an object of the on-medium erasure, manages the remaining partial data as the offset region (column 29, lines 52-59).

As per claims 3,7, same as claim arguments above and Shitara anticipates:  
wherein said first data management step produces and retains track erasure information indicative of whether or not erasure by the track-erasure has been performed for at least one of data parts as tracks which form the stream data as one file (column 15, lines 31-36, 47-48);

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a discrimination step of discriminating the stream data having track-erasable data parts by referring to the track erasure information (column 29, lines 33-36);  
and a control step of determining a data part as a track to be erased based on a result of the discrimination at the stream data discrimination step and controlling said first data management step so that the determined data part as a track is track-erased (column 29, lines 38-51).

As per claims 4,8, same as claim arguments above and Shitara anticipates:

an encryption processing step of chaining at least encryption blocks of data to be recorded on the recording medium and encrypting the chained encryption blocks, wherein said encryption processing step executes an encryption process such that the encryption blocks are chained within a range of a minimum data unit for managing the stream data in the track unit by the track management information (at column 27, lines 45-51).

### Contact Information

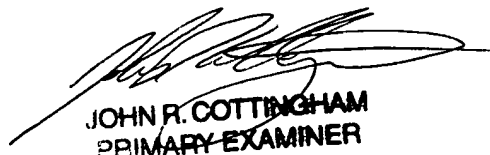
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Rayyan whose telephone number is (571) 272-1675. The examiner can normally be reached M-F: 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Susan Rayyan

May 17, 2006

  
JOHN R. COTTINGHAM  
PRIMARY EXAMINER